

TABLE 47.11.—IDENTIFYING HAZARDOUS CHEMICALS—Continued

Category	Basis for determining if a chemical is hazardous
	(2) If the chemical is a hazardous waste and an MSDS is unavailable, the chemical is hazardous if any of the sources in paragraph (b) of this table indicates it is a physical or health hazard.
(b) Chemical produced at the mine .....	The chemical is hazardous if any one of the following indicates that it is a hazard: (1) Available evidence concerning its physical hazards. (2) MSHA standards in 30 CFR chapter 1. (3) American Conference of Governmental Industrial Hygienists (ACGIH), "Threshold Limit Values and Biological Exposure Indices" (latest edition). (4) National Toxicology Program (NTP), "Annual Report on Carcinogens" (latest edition). (5) International Agency for Research on Cancer (IARC), Supplement 7 "Overall Evaluations of Carcinogenicity: An Updating of IARC Monographs Volumes 1 to 42," or any subsequent IARC "Monographs" or "Supplements".
(c) Mixture produced at the time .....	(1) If a mixture has been tested as a whole to determine its hazards, use the results of that testing. (2) If a mixture has not been tested as a whole to determine its hazards— (i) Use whatever scientifically valid evidence is available to determine its physical hazards; (ii) Assume that it presents the same health hazard as a component that makes up 1% or more (by weight or volume) of the mixture; and (iii) Assume that it presents a carcinogenic hazard if a component considered carcinogenic by ACGIH, NTP, or IARC makes up 0.1% or more (by weight or volume) of the mixture. (3) If evidence indicates that a component could be released from a mixture in a concentration that could present a health risk to miners, assume that the mixture presents the same hazard.

### Subpart C—HazCom Program

#### § 47.21 Requirement for a HazCom program.

Each operator must—

- (a) Develop and implement a written HazCom program;
- (b) Maintain it for as long as a hazardous chemical is known to be at the mine; and
- (c) Share relevant HazCom information with other operators whose miners can be affected.

#### § 47.22 HazCom program contents.

The HazCom program must include the following:

- (a) How this part is put into practice at the mine through the use of—
  - (1) Hazard determination,
  - (2) Labels and other forms of warning,
  - (3) Material safety data sheets (MSDSs), and
  - (4) Miner training.

(b) A list or other record of the identity of all hazardous chemicals known to be at the mine. The list must—

- (1) Use a chemical identity that permits cross-referencing between the list, a chemical's label, and its MSDS; and
- (2) Be compiled for the whole mine or by individual work areas.
- (c) At mines with more than one operator, the methods for—
  - (1) Providing other operators with access to MSDSs, and
  - (2) Informing other operators about—
    - (i) Hazardous chemicals to which their employees can be exposed,
    - (ii) The labeling system on the containers of these chemicals, and
    - (iii) Appropriate protective measures.